

In re Application: Sarid M. Shefet
Serial No.: 10/087,548
Filed: March 1, 2002
Page 17

REMARKS

This response is submitted in reply to the Office Action mailed June 23, 2003 ("the Action"). Claims 1-58 are pending in the Application. New dependent Claims 59-70 have been added above to depend from Claim 58 (directly or indirectly) to form a more complete claim set for the application. The dependent claims are supported by the figures and specification with certain on the new dependent claims corresponding to pending dependent claims (for a different independent claim). Entry and consideration of these claims is respectfully requested. Applicants first wish to acknowledge with appreciation the Examiner's thorough review of the application and the pending claims.

The Specification

The serial number of the provisional patent application listed at page 12 has been added.

Claims 1-57

Applicants acknowledge with appreciation the Examiner's statement that Claims 1-57 recite allowable subject matter and are free of the prior art and would be allowable if amended to overcome the informalities noted in the Action. Applicants refer the Examiner to the amendments made above to correct the noted informalities and amend the claims in a non-narrowing manner. The amendments were made for clarity to address informalities and were not made to overcome rejections for patentability. Applicants respectfully submit that Claims 1-57 are in condition for allowance.

Claim 58

The Action rejects Claim 58 as being anticipated by either of U.S. Patent No. 4,726,766 to Stewart et al. ("Stewart") or U.S. Patent No. 4,890,394 to Troetscher ("Troetscher"). Applicants respectfully disagree. However, in order to advance prosecution, Applicants have amended Claim 58 hereinabove.

Applicants respectfully submit that the claim is patentable over the cited references

In re Application: Sarid M. Shefet
Serial No.: 10/087,548
Filed: March 1, 2002
Page 18

and further submits that neither reference teaches or suggests the structural features in Claim 58. For example, Stewart proposes directing gas up or down onto bread using discharge tubes 158 with (rotatable) outlet apertures 160 horizontally spaced across the food travel path. Exhaust ports 180 are located at either end of the chamber (Fig. 2). Similarly, Troetscher proposes drying sheetrock panels 1 using hot air directed on its upwardly facing surface and on its downwardly facing surface (col. 4, lines 41-47) and processing the sheets through a series of dryers. As shown in Figs. 4 and 4a, the convection dryer has two groups of hot air supply ducts 30 and 40 with downwardly facing perforations 31 which form downwardly directed "drying jets" and upwardly facing perforations 41 which form the upwardly directed "drying jets" (col. 6, lines 18-40). A central exhaust fan is used to collect the exhaust air and combine it with fresh air.

In view of the foregoing, Applicants respectfully submit that Claim 58 and new dependent claims 59-70 recite patentable structural and/or functional features that are not taught or suggested by the cited references and submit that the pending claims are in condition for allowance which action is requested.

Supplemental Information Disclosure Statement ("IDS")


Applicant notes that a Supplemental IDS with two references cited on a form PTO-1449 was filed prior to the mailing date of the first Office Action. The Stewart reference listed on the PTO 1449 was cited by the Examiner on the PTO 892 form mailed with the Action. Applicants do not believe that a petition or fee to consider the other reference is required as the Supplemental IDS was mailed prior to the mailing date of the Action, but this notice is to be considered a petition for same along with authorization to charge the below identified Deposit Account any fee due to consider the IDS. Applicants respectfully request that the Examiner acknowledge consideration of the remaining reference, U.S. Patent No. 5,843,504, cited therein, by returning an initialed copy of the PTO 1449.

In re Application: Sarid M. Shefet
Serial No.: 10/087,548
Filed: March 1, 2002
Page 19

Conclusion

Accordingly, Applicant submits that the present application is in condition for allowance and the same is earnestly solicited. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

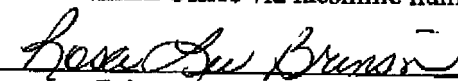
Respectfully submitted,


Julie H. Richardson
Registration No.: 40,142

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office via facsimile number 703-872-9310 on August 27, 2003.


Rosa Lee Brinson

FAX RECEIVED
AUG 27 2003
TC 1700

ICIAL
OFFICIAL